Previous references
Regs Rec 03 04
Regs 19 03 04
Ind Rev 04
Rev 04

1908-09 (ML)

Later references
Ind 156-168 163 B 6 Oct 1915

File No 92-06
Serial Nos 2-5

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for January 1909

SUBJECT

Amending regulation of the Nyasaland Improvement Districts Regulation

---

No 1] From the Chairman, Bd of Trustees, Nyasaland Improvement Districts, No 457 of 2-8-06 - Submits for information the Bd's resolution re enforcement of house connection with Street Drains &c

No 2] To the Chairman No 1129 of 28 Aug 06. Requests him to specify all the sections of the Ordinance under which the Bd wishes the enforcement

No 3] From the same No 596 of 3-8-07. States the sections under which powers are required

No 4] To the Compiler Nyasaland Gazette Ex. No 2100 G R S 58 of 20-1-09. For publication the amending regulation

No 5] To the 7th R No Pol 53 of 27-1-09. Informs him the above regulation is forwarded for

G R S 11j

1906 7

GENERAL AND REVENUE SECRETARIAT

(Municipal)

NOTES

File No 92

FILE HEADING

Building of house connections with Street drains in the Mysore City

From

The Chairman of the Board of Trustees for the Improvement of the City of Mysore

No 457 Dated 21/8/06 Received 4/8/06

Diary No 1171 | Enclos 2 Spare Copies | Serial No 1

BRIEF ABSTRACT OF LETTER

Submits for information & orders copy of Resolution No I Dt the 25th July 1906 of the Board in re the enforcement of house connections with Street Drains and also submits a memo on the subject

NOTES AND ORDERS

In the memo accompanying the above letter the Chairman states that in cases of buildings recently constructed house connections with the Street drains are being enforced, and that in cases

1

NOTES—First sheet

MGCPB—50 000—17-6

GRS 12J
General and Revenue Secretariat

Jud File No 92 of 1906 7

Serial No

the old Local Govt that he is not competent to take action for want of legal authority and that the Municipal authorities possess are responsible in this case, & that, if the Board of Trustees are empowered to exercise the powers provisions of Secs 145 and 147 of the Municipal Regulations, the establishment under the Board of Trustees requires strengthening

2 In para 2 of the Memo the Chairman states that the Board's proposal was to amend Sec 2 the City of Mysore Improvement Regulation, III of 1903 was vetoed by Govt This is not correct The amendment proposed was remitted to the Board for reconsideration as the Govt considered it desirable to divest the Municipal Commission of its legitimate functions except to the extent necessary to enable the Trust Board to carry out the Scheme of improvement This it was open to the Board of Trs,

334 8345
(2)-2 T

7.

Note—Contn sheet

GRS 12J
General and Revenue Secretariat

Rel File No 92 of 1906 7

Serial No	
Re the	8306'05 from an (Rel 7234-04) 9
81	7234/04 T
Press 4	no 6 of 5th 5th (Rel 7234 04) T

to reenbench the matter for orders, but they at their meeting held on the 28th June 1905 resolved that the consideration of the question be held over

3 It is submitted that the amendment ~~of~~ to the Cch ~~of Mysore~~ Improvement Regulation proposed by the Board of Trustees may now be considered, at least so far as it relates to house connections ~~proposed~~ The Mysore Cch Municipal Commissioners have no objection to the Board of Trustees exercising all the powers asked for except those mentioned in Secs 137, 166, 167, 173, 179 and 183 to 187 of the Municipal Regulations

4 The Chairman's statement that ~~the~~ the enforcement of house connections by the Board of Trustees would necessitate the entertainment of additional hands is a matter for the consideration of the Board in the first instance. ~~Subordinate~~

Note—Contn sheet

Note

GPB—30 000—23 10 05

8306

G.R.S 12j
General and Revenue
Secretariat

Jud File No 92 of 1906 7

4

Serial No

Now that it has been decided that the house connections with the Street drains should rest with the Trust Board (Vide orders ~~of~~ on the Office note in the linked file to be communicated to the Chairman), it seems necessary that the Trust Board should be empowered to exercise the powers conferred on the President of the Municipal Board, by Sections 141 to 150 of the Municipal Regulation. To this, the Municipality has no objection. Please see the Presidents letter No 6 of 5th Jan 1905 & its enclosures. Orders are therefore solicited as to whether a new section may now be added as section 20 B to Regulation No III of 1903 as suggested by the Chairman in his letter No 157 of 25th October 1904 Empowering the Trust Board to exercise these powers so far as is consistent with the tenor of the said Regulation

Orders

7th T-R. No. 3
234-04

F do -do

Note—Contn sheet

GPB—50,000—23 10 05

10/18/06

GRS 12]
General and Revenue
Secretariat

Rel File No 92 of 1906 7

Serial No

The proposed section 20 B refers to provisions in the existing Municipal Regns, which will soon be superseded by the revised Municipal Regulations now before the Govt of India.* We may wait till the new law is passed & then reconsider the position.

As regards the necessity for amending the Mysore City Improvement Regn, I continue to hold the same opinion as that expressed in my note dy 16-11-06, which a reference is requested. There is no reason why the Trust Board and the Municipal Council (especially after the hands, are strengthened by the new Municipal law) should not co-operate for the enforcement of house-connections. As it is, these proposals for arming the Trust Board with additional powers amount pro tanto to a virtual supersession of the Municipal Council, which was not intended when the Improvement Regn was framed.

To Secretariat 13/11/07 (4)

796
14 8 1906

There was no supersession in a sinister sense of the word — in the

Have received here & that the G. of I. is expected by

of note in Rel file 274 of 1904-05

Notes—Contn sheet

GPB—50 000—23 10 05

12]
General and Revenue
Secretariat

Ind File No 92 of 1906 7

Serial No

is rather a division of labour — 'House connections' are a natural sequence of the street drains, & the idea is that the same agency should deal with both — Mr Bell's all — The proposed additional rule & the proposed amendment has been approved by the

Mr 29/5/06

The Draftsman will be instructed in the Legislative Department when the question of legislation is decided upon

K 29/5/06

2021
378/8 Dewan's order

Now that the new Municipal Regulation has been approved of by the Govt of India & will soon be promulgated, the ~~Legislative~~ aspect of the case relative to the new Regn may be noted upon & the file resubmitted to the Dewan —

What legislative action will be necessary if the Trust Board is to be vested with the power to get house-connections put up ?

B 30
C&B
1/6/1906

Legal Br
29 MAY 1906

Subd for orders
SR
19/6/1906

Returned with Copies of the existing

Read 19/6/1906

Mrs. J 95

Note—Contn sheet

GPB—50 000 -33 10 05

[R S. 12]
General and Revenue Secretariat.

Jul File No 92 of 1906-07

Serial No

Repl and of the draft new Regl ons about to be promulgated

Lee
29/10

Submitted with a copy of the Draft Municipal Regns and also Regns III of 1888, I of 1890, VII of 1899 & I of 1900 which comprise the existing Municipal Regns. As a spare copy of Regn III of 1888 is not available, Vol II of the Mysore Code may be perhaps referred

CRD
20.10.06

SN
20/10/06

I am very much pressed for time on account of work in connection with the Administration Report. Submitted to Secretary as promised to-day

Lee
31-10-06

Lee - Please refer to the new Municipal Regln & specify the provisions therein which correspond to ss 145 & 147 of the repealed Regns.

4.11.06

5/11/06

Submitted A copy of the provisions in the new Municipal Regulation corresponding to Secs 145 & 147 of the Repealed Regulations

Note—Contn sheet.

MGCPB—20,000—1 11-04

No two sections in the new municipal Regulation exactly correspond to Secs 145 & 147 of the old repealed Regulation (of 1871) the following however seem to supply their place in the new Regulation

Sec 101

1) If any building or land be at any time undrained, or not drained to the satisfaction of the Municipal Council, the Municipal Council may by written notice call upon the owner to construct or lay from such building or land a drain or pipe of such size and materials, at such level and with such fall as they think necessary for the drainage of such building or land into -

(a) some drain or sewer, if there be a suitable drain or sewer within 30 feet of any part of such building or land, or

(b) a covered cesspool to be provided by such owner

[part of Sec 145 of 1871

2) It shall not be lawful newly to erect any building or to rebuild any building or to occupy any

building newly erected or rebu
unless and until -

a) a drain be constructed
such size, materials and descriptio
at such level and with such fall
as shall appear to the Municipal
council to be necessary for the
effectual drainage of such
building

b) there have been provided
for and set up in such building
and in the land appurtenant
thereto, all such appliances
and fittings as may appear
to the Municipal Council
to be necessary for the
purpose of gathering and
receiving the drainage from
and conveying the same off
the said building and the
said land and of effectually
flushing the drain of the
said building and every system
connected therewith.

3) The drain to be constructed
as aforesaid shall empty into a
municipal drain or into some
place legally set apart for the
discharge of drainage situated
at a distance not exceeding
50 feet from such building; but
if there is no such drain or place

3) Any pipes, fittings, receptacles, or other appliances for or connected with the drainage of premises buildings or lands shall, if supplied, constructed or erected at the expense of the Municipal Council, be deemed to be Municipal property, unless the Municipal Council shall have transferred their interest therein to the owner of such buildings or lands

[illegible]

X and 4 bodies of both the old and new Regulations are also put up

3) Any pipes, fittings, receptacles or other appliances for or connected with the drainage of private buildings or lands shall, if supplied, constructed or erected at the expense of the Municipal Council, be deemed to be Municipal property, unless the Municipal Council shall have transferred their interest therein to the owner of such buildings or lands

[...]

X and Y bodies of both the old and new Regulations are also put up

Draft of a

Regulation to further amend the City of Mysore Improvement Regulation 1903

Whereas it is expedient to Reamble further amend the City of Mysore Improvement Regulation 1903; His Highness the Maharaja is pleased to enact as follows:-

1. The references to the Municipal Regulations of 1871 shall be changed to references to the Mysore Municipal Regulation 1906.

Ref^ces to Reg^ns of 1871 changed to refces to M M Reg^n 1906

2. In sections 4, 5, 7, 8, 16, 19, 21, 24, 26, 30, 31, 33, 37 & 38, for the words "Municipal Commission" "Municipal Commissioner" and "Municipal Commissioners", there shall be substituted respectively the word "Municipal Council" "Municipal Councillor" and "Municipal Councillors"

Subst^n of 'Municipal Council' etc for 'Municipal Commission' etc

3. ~~For~~ For section 20, the following shall be substituted:-

"20. The Board may, so far

as may be consistent with the tenour of this Regulation, exercise the powers of the Municipal Council under sections 41, 50, 90, 93, 101, 112, 113, 116, 118, 119, 121 to 125, and 156 of the Mysore Municipal Regulation, 1906."

The Board may exercise some certain powers of Municipal Council

Sections corresponding to each of the new & the old Municipal Regulations

Mad Regns of 1871 Sections	The Nagpur Mad Regns 1906 Sections
94	no corresponding section
95	90 (1) ✓
96 + 97	90 (2) ✓
98	41 ✓
99	90 (2) ✓
100	90 (1) ✓
101	92 ✓
113	122 (owners and house owners)
114	121
115	91
118	90 (3) + 156 (20)
119	93 ✓
120	92 ✓
121 + 122	116 ✓
123 + 124	no corresponding Section
126, 127, + 128	113 ✓
130	119 ✓
131	no corresponding Section ✓
136	118 ✓
171 + 172	no Sections ✓
175	123 ✓
176	124 ✓
177	125 ✓
178	119 ✓
145 + 147	101 + 102

de
Nagpur
Regns
tion 20

G.R.S.
General and Revenue Secretariat

13

Rev File No 92 of 1906/7

Serial No

is herewith submitted

Secy) 8/11/07
7/10/07
7/4/07

To Mr Rajagopalachari for Mr. S
drawing up a section vesting the
necessary powers to the Improvement
Trust Board.
16/10/07

Submitted 21/10/07

Read
14.5.07

The draft Regn put up by Mr Rajagopala-
chari is submitted Sections 4 & 5
are really not necessary, as the General
Clauses Regn provides for the changes required,
but in order to secure uniformity, these
sections may be retained
2 Clause 3 of the draft Regn submitted
the correspondence for the sections
of the old Municipal Regns, the
corresponding sections of the new
Regn Some of these sections go beyond
the scope of the old sections, and there
also certain other sections in the new Municipal
Regn which confer certain powers which were not given under
the old Regn

NOTE—Continued

MCLB—20.000—1.11.04

G B S. 12]
General and Revenue
Secretariat
9

File No 92 of 1906 14

Serial
No

with advantage
Board - 9

Think that it would be desirable
that the Trust Board. be specify as
the sections of the New Reg^n under
which they desire to be empowered
when the subject may be considered
& got in consultation with the Municipal
Council and a draft Reg^n embodying
all the required provisions may
be drawn up

Lee
16/5/07

Secy

What is the provision under which
the Trust Board would be empowered
to enforce house connection in a
district

Secy
18/5

½ K
18/5

Sirkar

Secs 101 & 112 of the New
Municipal Regn which more or
less correspond to Secs 145 & 111
of the Old Regulations

Lee Thomas
18/5/07

18/5/07
The Suggestion is accepted

Note—Contn sheet

G. R. S. 12]
General and Revenue Secretariat

Rl File No 92 of 1906

150

Serial No	
2939 20.5.07	About cancelling the Trust Board may be adopted 19/5/07 I agree 25 May 07 Please take action accd 25/5/07
MH 27/5	Draft docket to the Chairman is put up- Done MH 27/5 28/5/07
2	Docket No 1297 dated the 30th May 1907 to the Chairman Requests him to observe all the sections of the new Municipal Regulation under which the Board desires to be empowered.
3	Letter No 596 dated the 3rd August 1907 from the Chairman States that powers are necessary under sections 99, 100, 101, 102, 103, 104, 105, 107 (1), 108, 109, 111, 112, 154 & 156 of the new Municipal Regulation The Municipal Councillors have already expressed themselves in favour of the delegation of power to the Trust Board to deal with the
Rl Records 5.7.'05 D in Rl 2 24-02	

Note- Contn sheet

Legis IV · 24
16

[G.R. S. 12]
General and Revenue Secretariat

Rl File No 92 of 1906

Serial No	
	relating to Conservancy and drainage in the areas under the operation of the Local Boards" This file may be transferred to the Legl. Branch for further action Mel. 10/8 Yes 15/8/07. Legis 16/8/07
	Sd. The question of further amending the City of Mysore Improvement Regulation III of 1903, on the direction indicated by the Trust Board and which has already been approved by the Municipal Council has now to be taken up. A draft Regulation has already been put up but the Trust Board does not seem to require all the powers with which they are intended to be vested by the draft Regulation the latter provides for their exercising the powers under Secs, 41, 50, 50 bis 3, 101, 102, 113, 116, 118, 119, 124 & 125, and 156 of the New Municipal Regulation & the Board wants any powers under Secs 99, 100, 101 & 105, 107(1) & 108 111, 112 156 & 157 for which orders DLO 16/8/07 16/8/07

Note– Contn sheet

G. R. S. 12]
General and Revenue
Secretariat

Jul File No. 92 of 190

(17)

Serial No.

Put up a revised draft Regulation, please, in accordance with the personal instructions given 1907 Illegible

Subd

A revised draft regulation as put up as directed The same will be typed after approval

SN
30/9/07

Read from Asst Secy, 29-9-07

To

Branch IV (mund Section)

Please note whether the abolition of the Mysore Improvement Trust Board is under contemplation and if so in what stage the question is

SN
13/9/07

The papers on the subject were submitted to the 1st Councillor today The Branch is not in a position to give any reply to the query of Branch III

NGK mj
13/9/1907

Branch III

Subd for orders

SN
14/9/07

Form—Contn. sheet

GPB—50,000—08-4-0

Serial No.

May the question of amending the Regulations lie over for the present?

Secy)

Regulation 7 amending the Regn may proceed independently of the Qn of the amalgamation of the Jurisdn with the Municipality

Subd with a draft amendment Regulation please put up a typed copy as revised.

Subd with a typed Copy

A draft Regulation is submitted. In sec 20 of the City of Rangoon Improvement Regulation, 1903, reference is made to certain sections of the old Municipal Regulations the corresponding sections of the new Regulation are given in the last part of the draft &

Note—Contin. sheet

Draft of a Regulation to further amend the City of Mysore Improvement Regulation , 1903.

- - - - - - - 0 0 0 - - - - - - -

Preamble.

Whereas it is expedient to further amend the City of Mysore Improvement Regulation, 1903, His Highness the Maha-Raja is pleased to enact as follows:-

References to Regulations of 1871 changed to references to Mysore Municipal Regulation 1906.

(1) The References to Municipal Regulations of 1871 shall be changed to the Mysore Municipal Regulation, 1906.

Substitution of " Municipal Council" &c for "Municipal Commiasion" &c.

(2) In sections 4,5,7,16,19,21,24,26, 30,31,33,37 and 38, for the words " Municipal Commission", "Municipal Commissioner" and "Municipal Commissioners", there shall be substituted respectively the words " Municipal Council", " Municipal Councillor " and "Municipal Councillors"

Substitution of a new section for section 20 in regard to Board may exercise certain powers of Municipal Councillors in regard to drains , privies sewers &c , service of notices &c, and recovery of cost.

(3) For Section 20, the following shall be substituted:-

" 20. The provisions of sections 41,50,90 to 93, 113,116,118,119 and 121 to 125 of the Municipal Regulation,VII of 1906, in regard to streets, of sections 99 to 105, 107 (1), 108 , 109,111 and 112 in regard to drains, privies sewers &c, of section 154 in regard to the service of notices &c and of section 156 in regard to the execution of works when the owner or occupier fails to

Gener
Sh

to execute the same and the recovery of the expenses thereof from him so far as may be consistent with the tenour of this Regulation, apply ~~respectively~~-

(a) to streets, drains, privies sewers &c or parts thereof vested in the Board under this Regulation, and

(b) to the service of notices, the execution of works and the recovery of expenses by the Board under this Regulation;

~~(b) in cases where notices, are required to be served or works executed and expenses recovered by the Board under this Regulation,~~ and all references in the said provisions to the Municipal Councillors or other Municipal authority shall be construed as references to the Board.

A.V.

Serial No.

approved, a statement of the objects and reasons will be put up

Secy) 20 2 08

21/2

1) Please see verbal alteration suggested by me on the margin of the typed copy

2) I believe there was a suggestion in another file that the Health Officer Mysore City should have a seat on the Trust Board instead of the Civil Surgeon. This will I believe involve an amendment of Sec 4 Please get the file from Br IV & put up a suitable amendment

3) Also ask Br IV if amendments are necessary on any other points

(1) noted

(2) will be attended to

3. Br IV Please note the amendments have to be made

24/3

GPB—50,000—1020

GRS 13]

Routine Notes

[To be used only for notes, requisitions, etc, not intended for permanent record] 20

Re the Cal Supt Regn (Draft)

Submitted to the Asst Secy

Amendments are also required on any other points (Sec 4 will be a new Sec inserting Sec 4 will be added by Sr III ? as discussed by the Secy)

With reference to Sec 3 of the Draft Regulations in the first it is noted that the reference to Sec 41 of the Mumt Regn does not seem to be necessary as the Cal of Improvement Supt Regn contains provisions enabling the Board of Trustees to acquire properties Please see Secs 156(1)(a), 18, 22 and 23

Secs 41, 80, 90 to 93, 113, 114 118, 119 and 121 to 125 of the Mumt Regn are dealt in Sec 3 of the Draft Regn to

N B—Should routine notes be written on small slips the note must be copied or the slips pasted on this form

GPB—80000 11 50

GRS 13]

Routine Notes

4

[To be used only for notes, requisitions, etc, not intended for permanent record]

to apply to streets. They relate to different matters as detailed below

Sec 61 Recourse to Land Acquisition Regn

" 90 Power to acquire and hold property

" 90 & 91 Powers in respect of Streets

" 92 & 93 Powers to regulate traffic

" 113, 116, 118 Powers regarding external structures etc

" 119 & 121 & 125 Powers for promotion of public health, safety and convenience

It seems necessary to refer to these matters specially in the Draft

If this connection matter is wanted to be changed Sc Khaitan and the Secretary

N B —Should routine notes be written on small slips the note must be copied or bps pasted on this form

GPB—10000 11 40

G R.S 19]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

Q

and Mr Sreenivasan Q's
Notes in Ind 234-1904
The only power that is
necessary to delegate to
the Board of Trustees is
that of enforcing house
connections with Street
drains in the areas under
the operation of the Board
The Act only lays down
the Board different powers
to regulate the construction
of buildings in such areas
The draft amendments
now proposed contemplate the delegation
to the Board of powers
relating to Conservancy
& Sanitation etc

Mr Sreenivasan
Notes III

Hole 8/4/08

8/4/08

N B —Should routine notes be written on small slip the notes must be copied or slip pasted on this form

C I B— 30000—11 4 0

Serial No.

The file is now submitted for further orders with reference to the note put up by Branch IV

18/6/08

The observation of Br IV that the proposed amendments contemplate the delegation to the Board of powers relating to conservancy and Sanitation is not correct.

The old Municipal Regulations ~~of~~ having been repealed by the Regulation of 1906, the sections of the former referred to in section 20 of the Improvement Regulation are replaced by the corresponding sections of the Regulation of 1906 - The first portion of section ~~2~~ 3 of the proposed draft, in regard to streets, is only a reproduction of the existing section 20 of the Improvement Regulation, with the sections of the Mkt Regulation substituted as above. It is mainly to this portion of the draft that objection is

UPB—50,000—17-3-07

Serial No

The objection
taken by Br IV ~~and~~ (tantamounts
to taking objection to the ori-
ginal provision itself - It is
pointed out by Br IV that the
sections referred of the Muni-
cipal Regulation referred to
do not all apply to streets The
words "in regard to streets" are
not newly added but exist in
the present section 20 - What
the expression seems to mean
is that the provision of the
sections referred to in so far
as they are applicable to streets
will apply to streets vested in
the Board -

As the powers with which
the Board is now to be vested -
must refer to the sections of
the new Municipal Regulation
advantage is taken to substi-
tute in the Improvement Reg.
lation of 1903 the corresponding sections
of the new Mc Regulation with
the ~~ob~~ sections of the old Re-
gulations are referred to in

Form—Contn sheet

G I B—50 000—17 3417

Serial No

there may uniformity in the whole -

Please put up an amendment of section 4 as directed by the Secretary

6 5 -08 Jelly

To give effect to the above, clause (3) of the draft may be changed into a clause (4) and the following be inserted as clause (3)

Amendment of Sec 4 (3) In section 4 relating to the Constitution of the Board, the word "nine" shall be substituted for the word "eight" and the expression "The Health officer of the Mysore City-Municipality, the Deputy Sanitary Commissioner to Government," shall be substituted for the expression "the Civil Surgeon for the time being of the Mysore District"

If this is approved, the draft will be retyped with the corrections made by the Secretary.

7/5/08 Approved - Please retype the draft with the additions and alterations suggested

7 5 08 Jelly

Note—Contn sheet

(1 B—50 000—17 3.07)

G R. S. 12]
General and Revenue Secretariat

L.C. File No 52 of 190 6—07 26

Serial No

Submitted with a fresh draft. This will have to be placed before the Legve Council and the Member who is to introduce the same may therefore be also decided.
NO 2/5/08
SR 8/5/08

Submitted to the Secy
8 5 08 HMS

Submd to 1st Cr if approved the draft will be circulated to council after orders are passed by it & it will be placed before the Legve Council in the usual course
6865 15-5-08 CR
CBZ 11/5

I think this may be done - by a notification
Comm-e
8/5
3 - K 15

Draft Amendment bill may be approved & placed before the Legislative Council
HMS 7/6/08

Secy 1/6 2-6-08

Form—Contn sheet

G I B—50 000—17 3.07

G R S 13]

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record]

7

Before submitting this Petition to His Highness, is it not necessary to put up a Statement of Objects and Reasons?

ku
1st/6/08

Secy)
Pl. please prepare.
CMG
1/6/08

Put up a draft
2nd
1 - 6 6

Yes
Draft
17/6/08
Revised draft
Recd 3rd July 08
for approval
6/7/08

Please submit typed draft as revised
6/7

Dr. Secy. to Spl. Officer
Revised draft put up
6/7 CM
9/7/08. Under Secy.
Secy
6/7

NB—Should routine notes be written on small slips, the notes must be copied on slips pasted on this form

The draft as it is put up seems all right. After the draft is approved it should be sent to the Secretary to Government

MGCPB—50 000—22-4-08

29

2 The opportunity has been taken to amend section 4 relating to the constitution of the Board, by appointing the Health Officer and the Deputy Sanitary Commissioner as members of the Board instead of the Civil Surgeon

A Bill to provide a law relating to Treasure-Trove

Whereas it is expedient to provide a law relating to Treasure trove in Mysore, His Highness the Maharaja is pleased to enact as follows —

Preamble

PRELIMINARY

Short title

This Regulation may be called "The Mysore Treasure trove Regulation, 190 "

Extent

It extends to the whole of Mysore,

Commencement

And it shall come into force on the date of the passing thereof

Repeal of enactments

2 The rules for the disposal of Treasure trove published under the late Mysore Chief Commissioner's Notification No 6, dated the 17th April 1867, are hereby repealed

Section 3 of Act VI of 1878

Interpretation clause

3 In this Regulation, 'treasure' means anything of any value hidden in the soil, or in anything affixed thereto,

"Treasure"

'Deputy Commissioner

"Deputy Commissioner" means (1) any Revenue Officer in independent charge of a district and (2) any officer appointed by Government to perform the functions of a Deputy Commissioner under this Regulation

"Owner"

When any person is entitled, under any reservation in an instrument of transfer of any land or thing affixed thereto, to treasure in such land or thing, he shall, for the purposes of this Regulation, be deemed to be the owner of such land or thing

PROCEDURE ON FINDING TREASURE

Section 4 of Act VI of 1878

Notice by finder of treasure

4 Whenever any treasure exceeding in amount or value ten rupees is found, the finder shall, as soon as practicable, give to the Deputy Commissioner notice in writing—

(*a*) of the nature and amount or approximate value of such treasure,

(*b*) of the place in which it was found, and

(*c*) of the date of the finding,

and either deposit the treasure in the nearest Government Treasury, or give the Deputy Commissioner such security as the Deputy Commissioner thinks fit, to produce the treasure at such time and place as he may from time to time require

Section 5 of Act VI of 1878

Notification requiring claimants to appear

5 On receiving a notice under section 4, the Deputy Commissioner shall, after making such enquiry (if any) as he thinks fit, take the following steps (namely) —

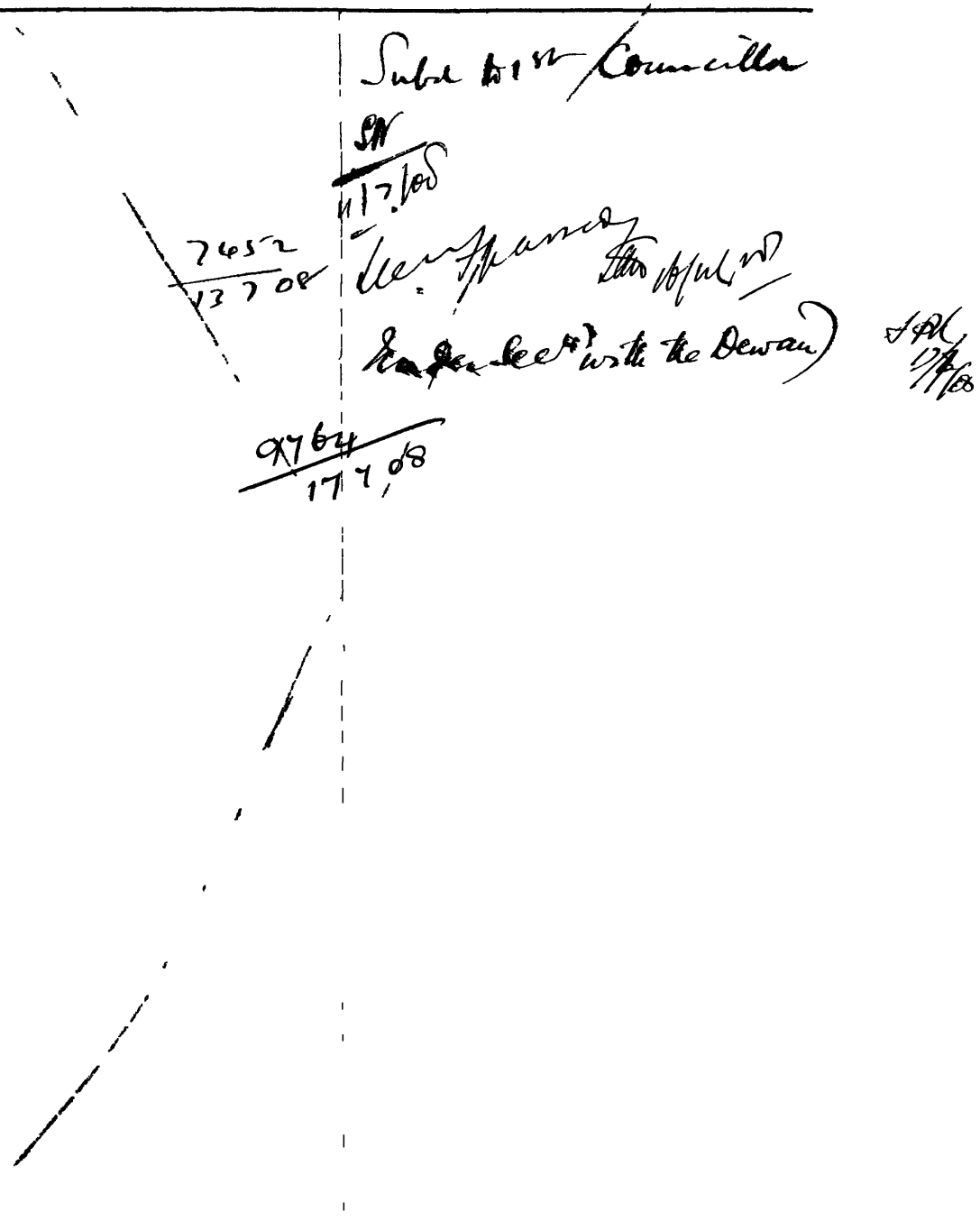
(*a*) He shall publish a notification in such manner as the Government from time to time prescribes in this behalf, to the effect that, on a certain date (*mentioning it*) certain treasure (*mentioning its nature, amount and approximate value*) was found in a certain place (*mentioning it*), and requiring all persons

GRS 13]

40

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record]



N B—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

MGC PB—20 000—12-9 01

G.R.S. 15]

Facing sheet for Cases included in the schedule appended to Notification No. 36 of the 8th Aug 1902.

GENERAL AND REVENUE SECRETARIAT

Subject— Draft of a Regulation further to amend the City of Mysore Improvement Regulation, 1903.

	Date	Initial of Officer himself or responsible Deputy
Received in the Secretariat		
Submitted to Secretary	8.5.1908	
Submitted by Secretary to 1st Councillor	11.5.1908	
Returned to Secretary	29.5.1908	
Circulated by Secretary for Council	1.6.1908	
Forwarded by I Councillor	Seen.	
Forwarded by II Councillor		
Received in Secretariat		
Considered in Council		
Submitted to the Dewan	17 7 08	
Submitted to His Highness	22 7 08	
Orders passed by His Highness		
Final Orders issued		
Circulated to Councillors		
Passed on by the Councillor		
Returned to Secretary by Councillor		

GPB—1,000—20-2-07

33

Submitted to His Highness

I submit a draft Bill further to amend the City of Mysore Improvement Regulation III of 1903, so as to vest in the Board of Trustees the powers exercised by the Municipal Council under the Municipal Regulation in regard to the drainage, conservancy and sanitation of the area under the control of the Board The statement of objects and reasons explains fully the necessity for the proposed measure.

Opportunity has also been taken to appoint the Health Officer of the Mysore City and the Deputy Sanitary Commissioner as members of the Trust Board in place of the Civil Surgeon, as decided some time ago.

If sanctioned, the Bill will be placed before the Legislative Council in due course.

21/7/1908

Please get me a copy
of the existing Regulation
& let me see it before
you go.

Dec 13/15

X Mysore City Improvement Regulation III of 1903

~~Draft Regulation~~ Submitted with the Regulation

Draft Regulation has been
embodied in the original Regulation

Thanks. Get down a fair copy

(S. R. S. 12]
General and Revenue Secretariat

File No. of 190

35

Serial No.

Submitted to the 1st Councillor for instructions as to who should introduce the Bill in the Legl. Council

7670/07

28.7.08

Please obtain the Governor's instructions. I suppose the duty will devolve on me. 30 July 08

Governor 30/7/08

9948/07.08

30/7/08

Written permission is not necessary by the Governor's aide-de-camp

Submitted to the 1st Councillor

7771/5.8.08

4.8.08

Seen by Mr & Co. Please see the draft speech appended

Mr & Co 29/9/08

(This seems all right 30/9/08)

Submitted Legl. Councillor. Fair copy of the speech has been submitted to Mr & Co

Mr & Co 29/9/08

Note—Contin. sheet.

GPS—50,000—12-5-08

D.O. from No 1147

96

P. 1st copy to 13/12

THE RESIDENT MYSORE

BANGALORE

No 6684

11th December 1908

Dear Sir Madhava Rao,

No communication appears to have been made to the Resident regarding the Bill introduced into the Legislative Council on the 1st October 1908 for amending the City of Mysore Improvement Regulation, 1903

The Bill in question happens to be one of small importance, but in this connection I am to invite a reference to the correspondence ending with Mr Chandrasekhara Iyer's letter Pol No 294 dated 17th October 1906 (special para 3) regarding the stage at which the Resident should be consulted in matters of legislation

Yours sincerely
T Cy

V P Madhava Rao, Esq , C I E ,
Dewan of Mysore
S I

Subt with the file and a draft reply to the Residency The omission was due to oversight

14/12/08 The Residency ought to have been informally informed / to bill upon the draft Bill to approved by HH in Cy.

Encs—Contn sheet

GPB—50,000—15 5 08

37

26]

File No

Serial No

Draft DO

DO No 1460/1 of 14 12 05

o of letter replied to

l and Revenue Secretariat
( )
, the 190

of issue

Signed by

Dear Mr Copeland,

I am D.O the 11th Instant regarding the bill to amend the City of Singapore Improvement Regulation, 1903

I am sorry that owing to an oversight the Honble the Resident was not informed of the Durbar's intention to undertake this piece of legislation before the bill was placed before the Legislative Council

I now send herewith

SUBJECT

38

a Copy of the bill with the Statement of objects and reasons for information. The bill as you observe is one of minor importance. It is intended to introduce and read the bill at the next meeting of the Legislative Council which is to come off on the 16th Instant.

Yours sincerely,

(Sd) V P Madhava Rao

16/12/1926

Enst of enclosures

Typed by

Examined by

GPB—10,000—30-4-05.

Serial No

I am sorry the point escaped attention when the file was received back & was submitted by the Pol'l Asst to Comm to 78 ante for instructions as to the move of the bill

C&S
14/12/08

Draft-cable by Demi-official letter, Pol'l Dept

The DO reply has been issued and the file returned with a copy of the DO (No 1460 dy 14 12 08).

HR
14 12 08

H J

Sd/- The Bill has been finally passed by the Legislative Council vide attached proceedings of the Legislative Council published as Supplement to the Gazette of 19/12/08. It does not seem that there is a bill to which the sanction of the Government of India would be required for being passed as law (vide the memorandum noted at H in the file marked by flag S at page 1 ante) the bill may therefore be submitted for the sanction of His Highness the Maharaj being accorded thereto for its

sheet

GPB—80 000—18 5 08

R. S 12 and Revenue tariat

95-

Ml File No 52 of 1906-07. WD

Serial No

promulgated as law. Submitted with a copy of the Bill for the Secretariat as required by rule 52 of the Leg Council Rules

V

The Residency may perhaps be intimated of the fact of the Bill having been passed as law after it is published in the Gazette by means of a D.O.

NO 28/12/08 SN 30/12

Yes 30th Dec SH

Secretary.

Submit to Hon'ble Council

C.S.O 5-1-09

(Sanction of Residency not necessary)

5th Jan 09 SH

7

His Highness the Maharajah's pleasure sanction may now be sought for the Bill being promulgated as law

SH 7 Jan 09

To the Dewan)

95-06-07

V 9 Jan 09 SH

11495 7-1-09

sheet

GPS—50,000—15 5 08

Submitted to His Highness

I solicit sanction to the Bill to further amend the City of Mysore Improvement Regulation, 1903, which has been finally passed by the Legislative Council being promulgated as law.

The Bill does not require the sanction of the Government of India

8/1/1909

Record of Cases submitted for the Orders of His Highness the Maharaja.

9.1.09
509

Subject.

Sanction for promulgating the Bill to further amend the City of Mysore Improvement Regulation, 1903, as law.

513
417
12.1.09

Order.

Sanctioned
~~K R M~~
11/1/09

To Secretary Bo
12/1/09

Secretary's Office
14 Jan 09

Seen
12/1/09

To Legislative for action. 14/1/09

Published in the Gazette and informed Rep 4
16.1.09

Serial No.

Draft of an ord. drawn: Mr. Compiler to furnish the bill is submitted for approval with draft of the D.O. to the Resident. Issue draft to Compiler Arrange to get Rendering Copies at once, & that the D.O. may be sent as soon as possible as published Lakshmi Secretary's approval for the D.O.

16/1/09. SW 16/1/09

16th Jan. 09 Sd

Draft to the Compiler Mysore Gazettes issued

20/1/09

The file may now be submitted to Secretary

21/1/09 SW 21/1/09

Secretary's Orders

Why was D.O. of 5th Dec. 1908? Is this the normal form? If not send copies with an official copy? May adopt either procedure

23/1/09

23.1.09 Sd

Taken to Secretary

23.1.09 Sd

As directed by the Secretary

(Contin sheet.)

GPL—50,000—15-3-08

12]
and Revenue
retariat

B

File No

of 190

Serial
No

draft of a letter to H.E. President
to Secretary for approval.
NB 22/1/09 WH/BB

Draft may be approved
23/1/09

Secretary
25/1/09

Memo—Contn sheet

GPD—10.000—18 5-08

ml 92-06
8217

No 457
En 2

OFFICE OF THE CHAIRMAN OF THE BOARD OF TRUSTEES
FOR THE IMPROVEMENTS OF THE CITY OF MYSORE

Mysore, Dated, 2nd August 1906. *190*

D 1171

FROM

D.Sitarama Rao Esq.,
Chairman of the Board of Trustees,
Mysore City Improvements

To

K.S.Chendrasekhara Iyer Esq., B A B,L
Secretary to the Govt of H H the Maharaja
of Mysore General & Revenue Departments

SIR

With reference to Govt Pro No 5572-3/ML-204-4 of 29th/31st December 1904, directing ~~that~~ the President of the Mysore City Municipal Commission to take needful action in communication with the Chairman, to enforce the provisions of Secs.145 and 147 of the Municipal Regulation,

I have the honor to submit for information and orders a copy of Trust Board's Resolution No I of 25-7-'06 in re- the enforcement of house connections, together with a Memo. indicating as to what action has been taken by the Trust Board in the matter

I have the honor to be,

Sir,

Your most obedient servant,

D. Sitaramchand

Chairman

B R.

1906

From

The Chairman,
Mysore City Improvement
Trust Boa

To

The Secretary to the Government
of H H the Maharaja of Myser
General & Revenue Departm

Dated 2nd August 0

Despatched

General No. 451

Enclosure No two.

Subject

Submit for infor
and orders, a copy of
Board's resolution
dated 25-9-1906, reg
the enforcement of
Connections with St
Drains.

Extract from the proceedings of an ordinary meeting of the Board of the Board of Trustees, for the Improvements of the City of Mysore, held at the Chairman's office on Wednesday the 25th July 1906.

Subject.

Chairman's Memo. dated 11th July 1906, in regard to the enforcement of house-connections with Street drains.

Resolution.

Resolved that, in view of the difficulty of enforcing the construc-tion of House-connections through the agency of the Municipality as shewn by the experience of the last few months, the Chairman be requested to again approach Government with a view to obtaining powers under Secs. 145 and 147 of the Municipal Regula-tion.

Resolved further that the follow-ing members of the Board be request-ed to form into a Sub-Committee, for the purpose of investigating the ques-ion of House-connections in all its details, and a sum of Rs. 500/- be provided for experiments on raising floors and constructing House-con-nections in a few typical houses.

Sub-Committee members.

(1) Mr. E. Maconochie I.C.S.
(2) Dr. T.S. Nanjappa.
(3) Mr. Mohamed Jaffer Sahib.
(4) Mr. G. Hanumantha Rao.
(5) Mr. M. Anantharajaiyya.

and any other members that choose to attend.

(Signed) D. Sitarama Rao,
Chairman.

"Copy"

D. Sitarama Rao

Chairman.

(3)

Memorandum

The importance of building House - connections with Street drains was recog-nized by the Board at the early part of their operations. To remedy this defect, Govt. was addressed (Chairman's No 151 of 1-10-04) in terms of the Board's Re-solution No 13 of 28-9-1904, soliciting orders to build at the cost of the Trust Board, simultaneous-ly with the construc-tion of Street drains, such of the exterior House-connections as do not exceed 3 feet in length

But the Govt observed in their Pro No 4707-204-2 (Pub) of 2-12-04, that the cons-construction of House-connections is a Statutory duty, devolving upon the House-owners concerned, under provisions of Secs 145 and 147 of the Municipal Regula-tions, authorised the Board to build at the cost of the Trust such of the House-Connections as do not exceed 3 feet in length, if the house owners are poor and offer themselves to complete the rest of the House-connections, and directed that the obligation imposed by law should be strictly enforced in other cases On a further reference by the Chairman in No 178 of 6-12-04, that he has no power to enforce the provisions of Sec 145 & 147 of the Municipal Regulations, Govt direc-ed, in Pro No 5572-L of 29-12-04, the President to take the needful action for enforcing the provisions of Sec. 145 & 147 of the Municipal Regulations in consul-tio

with the Chairman (4

2. With regard to House connections the properties in the areas under the operations of the Trust, may be classifie under the following two heads -

(1) Properties that have been or are being constructed, or improved after the Building-Bye-laws lately sanctioned were brought into force.

(2) Properties that were constructed before the Building Bye-laws were sanctioned and left in tact.

In the case of properties falling under the 1st class, the provisions of Cl.13 of the Building Bye-laws confer on the Chairman the same powers as are con--ferred on the President of the Munici--pal Board, under provisions of Sec.147 of the Municipal Regulation, and effect is being given to the same

R

With regard to the 2nd Class of Houses, the power of enforcing proper House-connections still vests only in the Municipal Board, and not in the Trust Board To remedy this defect, the Govt was approached with a proposal to amend the City Improvement Regulation, under which the Trust Board is now working, by the addition of a new section for ex--ercing such powers as are now allowed to the Municipal Board, in regard to ma--ters relating to Drainage &c. But the Govt observed in Pro. No 1564-4 of 1--- that it is not desirable to divest the Municipal Commission of its legislative powers, except to the extent necessar

No 157 dt 25 10 1906, Rec'd No 234 of 1906, T

Ad 2 Do T

(5

to enable the Trust Board to carry out their schemes of improvement Thus the Trust Board ~~its~~ is still legally unable to take any steps to enforce proper House connections in the 2nd Class of Houses But as this forms the majority of properties the Municipal President was addressed by the Chairman, in his No.412 of 5-6-05, to take necessary action for enforcing the construction of house connections under Sec 145 of the Municipal Regulation, as laid down in Govt Pro No 5572-3 of 29-12-04 referred to above In this connection the services of the Sanitary Inspector, who had then been deputed to work under the orders of the Chairman, ~~was~~ were applied for, and this request was complied with Plans and estimates for the construction of House connections were also furnished to the Municipal Vice President as requested What steps have been taken by the Municipal authorities in this direction has to be ascertained

The importance of enforcing the House connections simultaneously with the construction of Street drains was also brought to the notice of Govt in para 27 of the Administration Report of the Trust Board for 1904-05

3 Apart from the legal disability to be as pointed out above, it is noted, that if the Trust Board should undertake the work, which properly devolves on the Municipal Board, it would entail some additional work of issuing notices to the owners concerned, building House

connections at the cost of the Trust in cases of default, and recovering the cost thereof from the house-owners, and thus necessitate the strengthening of the present staff

D. Lawrence Rao

B R. C Chairman

Title

Sec

309

(No. 26)

File No. 92/06

Serial No. 2

Diary No. of letter replied to 1171

No. 11297 mc

General and Revenue Secretariat

(Municipal)

, the 190

Date of issue 30.5.07

Signed by

To 30.5.07

The Chairman of
the Board of Trustees
Improvement Fund

His letter no 4513/2 dated August 1906 submitting for information and orders a copy of the Municipal Board's Resolution No I of 25-7-1906 in re the enforcement of house connections, together with a memo indicating the actions taken by the Board in the matter

Referring to the above has the honour to

over

SUBJECT

Filed 30th 29/5.

Chairman to be so good as request to thereby
all the Sections of the
new Municipal Regulations
under which the Board
desires to be empowered
to enable Govt to pass
early orders on the subject

By order

JB
28/5/07
For Secretary

[illegible]
27/5/07

List of enclosures

Copied by

Examined by

MG

8921 (9

OFFICE OF THE CHAIRMAN OF THE BOARD OF TRUSTEES
FOR THE IMPROVEMENTS OF THE CITY OF MYSORE

No. 596 *Mysore, Dated,* 3rd August *1907*

Ml 92-06
8/3

FROM

D.Sitarama Rao, Esquire,
Chairman of the Board of Trustees,
Mysore City Improvements

To

C.S.Balasundaram Aiyar, Esquire, B A ,
Offg. Secretary to the Government of H H.the
Maharaja of Mysore, Genl and Rev. Depts

Sir,

In reply to your docket No.11297/Ml 92-06-2 dated the 30th May last, requesting to specify, in regard to the house-drainage connections, all the sections of the new Municipal Regulation under which the Board desires to be empowered, I have the honor to state that the sections in the new Municipal Regulation bearing on the subject are the following, and powers under those sections are necessary -

Sections --- 99, 100, 101, 102, 103, 104, 105, 107 (1), 108, 109, 111, 112, 154, and 156

I have the honor to be,
Sir,
Your most obedient servant,

Chairman.

(b

File No

Serial No 4

No of letter replied to →

Proceedings of the Government of His Highness the Maharaja of Mysore

ERAL AND REVENUE
SECRETARIAT
( )

READ—

, the 190

of issue 20.1.09

by Mr S. Hiriyanniah

ORDER THEREON—No Ja100/MI92—06 dated 20.1.09. Ordered that the accompanying Regulation, ~~Proposal~~ further to amend the City of Mysore Improvement Regulation, which received the assent of His Highness the Maharaja on the 11th January 1909

SUBJECT

be published for general information.

Secretary

2 The Municipal Regns. gazette, with a supplementary Extraordinary for publication in Part II of the gazette in English & Canarese & for supply of 200 copies each to the legislature Secretariat, proof having forwarded to it for correction before the Bill is finally printed in the gazette. 12 copies in English should be sent in advance for being forwarded to Residency. Canarese translation will follow.

Copy to the Translation Section for record, with a copy of the Regulation

16/11/09 16/11/09

Col-Sec

9/11/09

REGULATION No II OF 1909

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE 11TH DAY OF JANUARY 1909)

A Regulation further to amend the City of Mysore Improvement Regulation, 1903

Preamble

Whereas it is expedient further to amend the City of Mysore Improvement Regulation, 1903, His Highness the Maharaja is pleased to enact as follows —

references to Regulations of 1 changed to references to Municipal Regulation

1 The references to the Municipal Regulations of 1871 shall be changed to references to the Mysore Municipal Regulation 1906.

Substitution of Municipal Council etc for Municipal Commission etc

2 In sections 4, 5, 7, 16, 19, 21, 24, 26, 30, 31, 33, 37 and 38 for the words "Municipal Commission, Municipal Commissioner" and Municipal Commissioners there shall be substituted respectively the words 'Municipal Council Municipal Councillor and Municipal Councillors

Amendment of section 4

3 In section 4 relating to the constitution of the Board the word nine shall be substituted for the word 'eight and the words the Health Officer of the Mysore City Municipality, the Deputy Sanitary Commissioner to the Government shall be substituted for the words 'the Civil Surgeon for the time being of the Mysore district"

Substitution of a new section for section 20

4 For section 20 the following shall be substituted

Board may exercise certain powers of Municipal Councillors in regard to streets drains privies sewers etc services of notices etc and execution of works and recovery of cost

"20 The provisions of sections 41 50 90 to 93 113 116 118 119 and 121 to 125 of the Municipal Regulation VII of 1906 in regard to streets of sections 99 to 105 107(1) 108 109 111 and 112 in regard to drains privies sewers etc of section 154 in regard to the service of notices etc and of section 156 in regard to the execution of works when the owner or occupier fails to execute the same and the recovery of the expenses thereof from him shall so far as may be consistent with the tenor of this Regulation apply

(*a*) to streets, drains, privies sewers etc or parts thereof vested in the Board under this Regulation, and

(*b*) to the service of notices the execution of works and the recovery of expenses by the Board under this Regulation and all references in the said provisions to the Municipal Councillors or other Municipal authority shall be construed as references to the Board'

V P MADHAVA RAO
Dewan

13

26]

File No

Serial No 5

No of letter replied to

Pol. No 5994
Secret 10

al and Revenue Secretariat

, *the* 190

To

The President in Mysore
Bangalore

Sir,

of issue 27-1-1909

by

K. Sheshandrasekharam
Aiyar

I am directed to forward herewith a Copy, (with 5 spare Copies) of a Regulation passed by His Highness the Maharaja for the better to amend the Law of Mysore Improvement Regulation III of 1903

2 Under Section 10 of the said Regulation as originally stood, the Improvement Board was empowered to exercise in regard to street vested under the Control and powers of the Municipal Council the same powers conferred under the old Municipal Regulation over of

SUBJECT

15-9-05 The power of Sanitary
areas of houses in the area
brought under the Control of
the Board to Connect the
drains of these houses with
street drains was not however
provided for by the Section.
Though in regard to houses newly
built or improved, the Board
has been given power under the
building bylaws to insist on
house connections with street
drains, this power do for as
houses already existing were
concerned could only be exercised
by the Municipality and not
by the Board A similar
difficulty was also experienced
by the Board in regard to the
drainage, Conservancy and
general sanitation of areas
under its Control It was therefore
considered expedient
(~~[illegible]~~) to invest-

List of enclosures

Copied by

Examined by

15

G R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form)

the Board with the powers of a Local Authority under the Municipal Regulation in regard to drainage, water and sanitation so far as the area under the Board was concerned (Vide section 4 of the Regulation, passed as Regulation II of 1909)

3 Opportunity has been taken to amend section 4 of the Regulation of 1903 relating to the Constitution of the Board by appointing the Health Officer and the Deputy Sanitary Commissioner, Paiva de Mendoza of the Board instead of the Civil Surgeon of the Negombo District, and to change reference to the old Municipal Regulation of 1891 to the corresponding sections of the new Municipal Regulation, VII of 1910

& Secretary

Govt 10

Govt 19/25/09

MGC 1 B—40,000—5 4 09